

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION**

UNITED STATES,	§	
	§	
v.	§	Cr. No. C-05-696
	§	
DANIEL ESTEVIS.	§	

**ORDER TERMINATING PROVISIONAL APPOINTMENT OF COUNSEL  
AND DENYING LETTER MOTION FOR APPOINTMENT OF COUNSEL**

The undersigned provisionally appointed counsel to represent Defendant Daniel Estevis (“Estevis”) in a sealed order entered March 26, 2007. (D.E. 23.) The appointment was provisional because Estevis had not shown that he was financially eligible for appointed counsel. Since that time, Estevis has been given numerous opportunities to provide an *in forma pauperis* affidavit, has been provided with blank copies of the affidavit, and has been warned that a failure to complete the affidavit could result in the termination of provisionally-appointed counsel. (See D.E. 23, 25, 26.)

On July 23, 2007, the undersigned issued an order to show cause, instructing Estevis to provide a written statement showing cause why his provisional appointment of counsel should not be terminated. He was warned that if he did not file the statement within ten days after entry of the Show Cause Order, then his counsel’s appointment would be terminated. (D.E. 27.)

The deadline for responding to the Show Cause Order expired on August 6, 2007. To date, Estevis has not filed any written response, nor has he provided a completed *in forma pauperis* application.<sup>1</sup>

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<sup>1</sup> At an ex parte hearing held on August 20, 2007 at which Estevis was not present, counsel for Estevis indicated that, based on conversations with Estevis and with Estevis’ case manager at his place of incarceration, counsel believed Estevis no longer wanted an attorney to represent him. If true, this would certainly explain Estevis’ continued failure to complete a simple *in forma pauperis* affidavit and return it.

Accordingly, the provisional appointment of counsel for Estevis is terminated, and his letter motion for appointment of counsel (D.E. 21, 22) is DENIED. Assistant Federal Public Defender Jose Gonzalez-Falla and the Office of the Federal Public Defender are no longer appointed to represent Estevis and they are excused from further responsibilities in this case.

It is so ORDERED this 21st day of August.



B. JANICE ELLINGTON  
UNITED STATES MAGISTRATE JUDGE